

DEPARTMENT OF COMMERCE

International Trade Administration

(A-533-810)

Stainless Steel Bar From India: Final Results of Antidumping Duty Administrative Review; 2013-2014

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On March 9, 2015, the Department of Commerce (Department) published the preliminary results of the administrative review of the antidumping duty order on stainless steel bar (SSB) from India.<sup>1</sup> The period of review (POR) is February 1, 2013, through January 31, 2014. Based on comments received from Bhansali Bright Bars Pvt. Ltd., (Bhansali) and the petitioner,<sup>2</sup> we have made certain changes to our preliminary results. The final dumping margin for this review is listed in the “Final Results of the Review” section below.

DATES: Effective Date: (**INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER**).

FOR FURTHER INFORMATION CONTACT: Joseph Shuler, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, DC 20230; telephone (202) 482-1293.

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<sup>1</sup> See *Stainless Steel Bar From India: Preliminary Results, and Rescission, in Part, of Antidumping Duty Administrative Review; 2013–2014*, 80 FR 12439 (March 9, 2015) (*Preliminary Results*).

<sup>2</sup> The petitioner is Valbruna Slater Stainless, Inc.



## SUPPLEMENTARY INFORMATION:

### Background

Following the *Preliminary Results*, the Department issued an additional supplemental questionnaire to Bhansali, the only respondent in this administrative review, on March 20, 2015, and received a response on April 2, 2015. We received timely filed case and rebuttal briefs from Bhansali and the petitioner.

### Scope of the Order

The merchandise subject to the order is SSB. The SSB subject to the order is currently classifiable under subheadings 7222.10.00, 7222.11.00, 7222.19.00, 7222.20.00, 7222.30.00 of the Harmonized Tariff Schedule of the United States (HTSUS). The HTSUS subheadings are provided for convenience and customs purposes. The written description is dispositive.<sup>3</sup>

### Analysis of Comments Received

All issues raised in the case and rebuttal briefs are addressed in the Issues and Decision Memorandum, which is incorporated herein by reference. A list of the issues which parties raised, and to which we respond in the Issues and Decision Memorandum, is attached to this notice as an Appendix. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov>, and it is available to all parties in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at

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<sup>3</sup> For a full description of the scope of the order, see the memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, "Issues and Decision Memorandum for the Final Results of the Antidumping Duty Administrative Review of Stainless Steel Bar from India" dated concurrently with this notice (Issues and Decision Memorandum), which is hereby adopted by this notice.

<http://enforcement.trade.gov/frn/index.html>. The signed Issues and Decision Memorandum and the electronic versions of the Issues Decision Memorandum are identical in content..

#### Changes Since the Preliminary Results

Based on our analysis of the comments received, we have made certain changes to the *Preliminary Results*. For a discussion of these changes, see Issues and Decision Memorandum.

#### Final Results of the Review

As a result of this review, we determine the following weighted-average dumping margin exists for the respondent for the period February 1, 2013, through January 31, 2014.

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| Producer/ Exporter             | Weighted-Average Dumping Margin<br>(Percent) |
|--------------------------------|--|
| Bhansali Bright Bars Pvt. Ltd. | 0.00   |

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#### Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act, and 19 CFR 351.212(b), the Department determines, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review.

For assessment purposes, because Bhansali's weighted-average dumping margin remains zero or *de minimis* (i.e., less than 0.5 percent) in these final results, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties in accordance with 19 CFR 351.106(c)(2). Our instructions will be on an importer-specific basis, where the importer is known, or on a customer-specific basis, where the importer is not known.

The Department clarified its “automatic assessment” regulation on May 6, 2003. This clarification will apply to entries of subject merchandise during the POR produced by Bhansali for which it did not know its merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

#### Cash Deposit Requirements

The following deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2) of the Act: (1) the cash deposit rate for Bhansali will be the rate established in the final results of this administrative review; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding in which that manufacturer or exporter participated; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation but the manufacturer is, the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the manufacturer of subject merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 12.45 percent, the “all others” rate established in the order.<sup>4</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

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<sup>4</sup> See *Notice of Final Determination of Sales at Less Than Fair Value: Stainless Steel Bar from India*, 59 FR 66915, 66921 (December 28, 1994).

### Disclosure

We intend to disclose the calculations performed for these final results of review within five days of the date of publication of this notice in the **Federal Register** in accordance with 19 CFR 351.224(b).

### Notifications

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

These final results of administrative review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: September 8, 2015.

Paul Piquado  
Assistant Secretary  
for Enforcement and Compliance

## Appendix

### List of Issues Discussed in the Issues and Decision Memorandum

Summary

Background

Scope of the Order

Discussion of the Issues

Comment 1a: Whether There Are Inaccuracies and Discrepancies in Bhansali's Reporting

Comment 1b: Whether the Application of Adverse Facts Available, or Partial Facts Available is Warranted

Comment 2: Whether Bhansali Submitted Untimely Factual Information

Comment 3: Whether the Department Erred in the Treatment of Bhansali's Home Market Billing Adjustments

Recommendation

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